

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NEW YORK CIVIL LIBERTIES UNION,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF HOMELAND
SECURITY,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 2/5/14

09 Civ. 5325 (LGS)
**STIPULATION AND ORDER OF
DISMISSAL**

WHEREAS, on June 9, 2009, plaintiff New York Civil Liberties Union ("Plaintiff") filed the above-captioned action against the United States Department of Homeland Security ("DHS" or the "Government"), pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552;

WHEREAS, the Complaint describes, *inter alia*, a FOIA request made by Plaintiff to DHS on October 5, 2007 (the "FOIA Request");

WHEREAS, the FOIA Request sought the production of documents from DHS relating to (1) the Lower Manhattan Security Initiative ("LMSI"), and (2) camera surveillance systems other than the LMSI;

WHEREAS, between November 2009 and May 2010, DHS released over 2,400 pages of documents in response to the portion of plaintiff's FOIA Request seeking documents relating to the LMSI;

WHEREAS, on May 26, 2010, the Government filed a motion for partial summary judgment concerning certain information it withheld in the documents produced between November 2009 and May 2010, and on March 10, 2011, the Court issued an Opinion and Order (the "March 10 Order") granting the Government's motion for partial summary judgment;

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WHEREAS, after entry of the March 10 Order, DHS released over 2,500 pages of documents in response to the portion of plaintiff's FOIA Request seeking documents relating to camera surveillance systems other than the LMSI; and

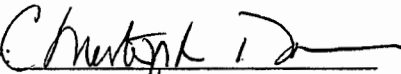
WHEREAS, the parties have conferred regarding the Government's production of documents responsive to the FOIA Request;

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff and the Government, as follows:

1. Plaintiff's claims against the Government in the above-captioned action are hereby dismissed with prejudice, and without interest, costs, or attorney's fees to either party.
2. The parties understand and agree that this Stipulation contains the entire agreement between them, and that no statements, representations, promises, agreements, or negotiations, oral or otherwise, between the parties or their counsel that are not included herein shall be of any force or effect.


CD 1/22/14

Dated: New York, New York
January 23, 2014

By: 
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*Attorney for Defendant
United States Department of Homeland
Security*

SO ORDERED Dated: 02/05/2014


HON. LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE